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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit:

1653

GORZIGLIA ET AL.

Examiner:

APPLICATION NO: 10/081,961

Confirmation No. 2186

RECEIVED

FILED: FEBRUARY 22, 2002

Atty. Docket 4-31890A

FOR: NOVEL VECTOR CONSTRUCTS

MAY 0 8 2003 -

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 TECH CENTER 1600/2900

TRANSMITTAL LETTER

Sir:

Enclosed please find the following:

- a. Information Disclosure Statement (1 page);
- b. PTO Form 1449 (23 pages), with cited references; and
- c. Return postcard.

Respectfully submitted,

Novartis Corporate Intellectual Property One Health Plaza, Bldg. 430 East Hanover, NJ 07936-1080

Douglas Golightly Patent Agent Reg. No. 51,244

Date: May 5, 2003



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Art Unit: 1653

GORZIGLIA, et al.

Examiner:

APPLICATION NO: 10/081,961

Confirmation No. 2186

FILED: FEBRUARY 22, 2002

Atty. Docket: 4-31890A

FOR: NOVEL VECTOR CONSTRUCTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicant believes this paper is being filed before the mailing date of a first Office Action on the merits, and so under 37 C.F.R. §1.97(b)(3) no fees are required. If a fee is deemed to be required, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 19-0134.

In accordance with 37 C.F.R. §1.56, applicant wishes to call the Examiner's attention to the references cited on the attached form(s) PTO-1449. Copies of these references are enclosed herewith.

The Examiner is requested to consider the foregoing information in relation to this application and indicate that each reference was considered by returning a copy of the initialed PTO 1449 form(s).

Respectfully submitted,

Novartis Corporate Intellectual Property One Health Plaza, Bldg. 430 East Hanover, NJ 07936-1080 (301) 258-4832

Date: May 5, 2003

Douglas Golightly Patent Agent Reg. No. 51.244

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Complete if Known

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number 10/081,961

Filing Date February 22, 2002

First Named Inventor Gorziglia

Art Unit 1653

Examiner Name

Attorney Docket Number 4-31890A

			U. S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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	1	^{US-} 2001/0006633A1	07-05-2001	Kirn, D.	
		^{US-} 5,672,344	09-30-1997	Kelley, et al.	
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Examiner Initials*	Cite No.1	Cite Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	T ⁶
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		WO 92/03563	03-05-1992			<u></u>
		WO 94/18992	09-01-1994			<u> </u>
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		WO 97/01358	01-16-1997			<u> </u>
		WO 97/04805	02-13-1997			

Examiner Signature	Date Considered	

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Attorney Docket Number

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Sheet 2

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STATEMENT BY APPLICANT (Use as many sheets as necessary)

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			U. S. PATENT	DOCUMENTS	Pages, Columns, Lines, Where
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (f known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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		WO 97/48277	12-24-1997			
		WO 98/13508	04-02-1998			
		WO 98/27207	06-25-1998			╙
		WO 98/35028	08-13-1998			<u> </u>
		WO 98/39464	09-11-1998			<u></u>
		WO 98/39465	09-11-1998			

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FCH CENTER 1600/2900 Complete if Known Application Number 10/081,961 Filing Date February 22, 2002 First Named Inventor Gorziglia Art Unit 1653 Examiner Name Attorney Docket Number 4-31890

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		WO 98/39466	09-11-1998			L
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Application Number 10/081,961 Filing Date February 22, 2002 First Named Inventor Gorziglia Art Unit 1653

STATEMENT BY APPLICANT (Use as many sheets as necessary)

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Examiner Name 4-31890 Attorney Docket Number

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Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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	İ	Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	WINFORTTY		3	<u> </u>
		WO 00/03029	01-20-2000			L
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		WO 00/29599	05-25-2000			L
		WO 00/31286	06-02-2000			L
	T	WO 00/39319	06-06-2000			

Examiner	Date	
Signature	Considered	

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Sheet 5

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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U. S. PATENT DOCUMENTS Name of Patentee or Pages, Columns, Lines, Where Publication Date Document Number Examiner Cite Applicant of Cited Document Relevant Passages or Relevant MM-DD-YYYY Nο Initials* Figures Appear Number-Kind Code^{2 (# known)} US-US-US-US-US-US-US-US-US-US-US-US-US-US US-US-US-US-US-

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		WO 00/46355	08-10-2000			Ļ
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Coi	mplete if Known	
Application Number	10/081,961	_
Filing Date	February 22, 2002	REC
First Named Inventor	Gorziglia	
Art Unit	1653	
Examiner Name		MAY
Attorney Docket Number	4-31890	ر

Sheet |6 of 23 U. S. PATENT DOCUMENTS Name of Patentee or Pages, Columns, Line Publication Date Cite Document Number Examiner Relevant Passages or Relevant MM-DD-YYYY Applicant of Cited Document Initials* Figures Appear Number-Kind Code^{2 (# known)} US-US-US-US-US-US-ÜS-US-US-US-US-US-US-US-US-US-US-US-US-

		FORE	IGN PATENT DOCU	MENTS		
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		WO 01/04282	01-18-2001			Ļ
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Sheet 7

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number	10/081,961	TOUVE
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First Named Inventor	Gorziglia	WAY OR 2000
Art Unit	1653	2703
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Examiner initials*	Cite No. ¹	the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ADAMS, et al., "Transcriptional Control by E2F," Seminars in Cancer Biology, 6:99-108 (1995)	
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		BRISTOL, et al., "GM-CSF Containing Oncolytic Adenoviruses for the Treatment of Cancer," poster presented at The 10th Annual Meeting of the European Society for Gene Therapy, Antibes, France, October 13-16, 2002	
		BRISTOL, et al., "In Vivo Anti-Tumor Activity of Oncolytic Adenoviruses that Express GM-CSF in Xenograft Tumor Models," American Society for Gene Therapy, 5th Annual Meeting, June 5-9, 2002; poster presented June 6, 2002	
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		EMERY, et al., "A Chromatin Insulator Protects Retrovirus Vectors from Chromosomal Position Effects," Proc. Natl. Acad. Sci. USA, 97(16):9150-9155 (August 1, 2000)	
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		HALLENBECK, et al., "Oncolytic Adenoviruses Dependent Upon Two Prevalent Alterations in Human Cancer; Disregulation of the RB-Pathway and Telomerase," American Society of Gene Therapy 5th Annual Meeting, June 5-9, 2002, poster presented on June 5, 2002	
		HALLENBECK, et al., "Oncolytic Adenoviruses Dependent Upon Two Prevalent Alterations in Human Cancer; Disregulation of the RB-Pathway and Telomerase," Molecular Therapy, 5(5):Abstract 165 (May 2002)	
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		HATFIELD, et al., "The NFIII/OCT-1 Binding Site Stimulates Adenovirus DNA Replication In Vivo and Is Functionally Redundant with Adjacent Sequences," Journal of Virology, 67(7):3931-3939 (July 1993)	
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TECH CENTER 1600/2900 INFORMATION DISCLOSURE Filing Date February 22, 2002 STATEMENT BY APPLICANT First Named Inventor Gorziglia Art Unit 1653 (Use as many sheets as necessary) Examiner Name Attorney Docket Number 4-31890A 23 Sheet

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		NON PATENT LITERATURE DOCUMENTS	. , , , , ,
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
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Sheet 22	of	23	Attorney Docket Number	4-31890A	TECH CENTER 16	00/290

		NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the author (in CAPITAL LETTERS).	
Examiner nitials*	Cite No. ¹	the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volunte-issue number(s), publisher, city and/or country where published.	T ²
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Initials*			T ²
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